

## Conscientious objection in Greece

### Joint Statement of War Resisters' International and European Bureau for Conscientious Objection

For decades Greece systematically refused to recognise the right to conscientious objection to military service, and imprisoned conscientious objectors repeatedly. When finally the right to conscientious objection was formally recognised in 1997, it came with a deliberately coercive and punitive framework. For example substitute service is 18 months longer than military service[1]. In short, substitute service is much longer (more than twice the length of military service), placement and supervision of conscientious objectors who perform substitute service is under the jurisdiction of the military authorities, and in practice there are a wide range of discriminations against conscientious objectors[2].

All these violations of the human rights to conscientious objection have been documented in several reports: Amnesty International's report of June 2003[3], War Resisters' International's report of July 2003[4], the annual reports of the European Parliament[5] and the recommendations of the Council of Europe. Following a collective complaint by the Quaker Council for European Affairs[6] that Greece is violating the European Social Charter by keeping conscientious objectors away from the labour market for a time disproportional longer than soldiers – due to the punitive length of substitute service – the European Committee of Social Rights decided on 25 April 2001 'that these 18 additional months, during which the persons concerned are denied the right to earn their living in an occupation freely entered upon, do not come within reasonable limits, compared to the duration of military service. It therefore considers that this additional duration, because of its excessive character, amounts to a disproportionate restriction on "the right of the worker to earn his living in an occupation freely entered upon", and is contrary to Article 1 para. 2 of the Charter.'[7]

### The case of Lazaros Petromelidis

After a long struggle, Petromelides was granted conscientious objector status in 1999, but he then was called up for 30 months substitute service, instead of four months of military service. He refused this, and so the CO status was removed. On 15 April 1999 he was sentenced to 4 years imprisonment for draft evasion (prior to his CO status), but released on bail after 2 1/2 months, due to his pending appeal. This was finally decided on 12 June 2003, when he was sentenced to 20 months suspended sentence. His new trial is for draft evasion from his substitute service posting. He will now stand trial on 19 February 2004, at the Navy Court Martial of Thessaloniki. He is charged with "draft evasion during prolonged general mobilisation", which took place in the Hospital for Chronic Diseases of Kilkis (his substitute service posting, which is under the jurisdiction of the Ministry of Health and Social Care!). In addition, new investigations have been started for "draft evasion", and in November 2003 police attempted to arrest him[8].

Lazaros Petromelidis repeatedly stressed that he is willing to perform a substitute service that is not punitive, and complies with European standards.

This trial and the new investigation are in contradiction to Article 14 paragraph 7 of the International Covenant on Civil and Political Rights: "No one shall be liable to be tried or punished again for an offence for which he has already been finally convicted or acquitted in accordance with the law and penal procedure of each country." Lazaros Petromelidis was sentenced for his conscientious objection on 12 June 2003. Every repeated refusal to serve has to be seen as a consequence of his initial conscientious objection, for which he was already punished. This is in line with established legal standards, and was also expressed by the United Nations Working Group on Arbitrary Detention in several cases[9].

## Conclusions

War Resisters' International and the European Bureau for Conscientious Objection demand from the Greek Government and from the new Greek Parliament to stop the prosecution of conscientious objectors, and to finally recognise the right to conscientious objection according to the standards set out by international organisations and the Council of Europe. We especially draw attention to the European Parliament resolution 2001/2014 regarding freedom of thought, conscience and religion, which "calls on Greece to recognise the right of conscientious objection to military service without restriction and without reference to any religious grounds, to introduce forms of alternative service which do not last longer than compulsory military service and to release immediately all those serving prison sentences in this connection".

Finally, we demand that Greece passes legislation on conscientious objection that complies with the standards set out by the United Nations[10], the Council of Europe[11], and the European Union.

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[1]Law 2510/97, which came into force on 1 January 1998.

<http://www.omhroi.gr/SAS/l2510en.htm>

[2]See for example: War Resisters' International:

Conscientious objection in selected member states of the OSCE, July 2003,

<http://wri-irg.org/co/osce-rep.htm>

[3]Amnesty International: Greece. To be in the army or choosing not to be:

The continuous harassment of conscientious objectors. AI Index EUR 25/003/2003,

<http://web.amnesty.org/library/Index/ENGEUR250032003?open&of=ENG-GRC>

[4]War Resisters' International: Conscientious objection in selected member states of the OSCE, July 2003, <http://wri-irg.org/co/osce-rep.htm>

[5]European Parliament, Committee on Citizens' Freedoms and Rights, Justice and Home Affairs:

Working Document on the situation concerning fundamental rights in the European Union 2002, 16 April 2003,

<http://www.europarl.eu.int/meetdocs/committees/libe/20030519/495644en.pdf>

[6]Collective complaint on Greece to the Council of Europe under the Social Charter,

<http://www.terra.es/personal/beoc.ebco/Reports/complain.htm>

[7]European Committee of Social Rights, Decision on the merits, Complaint 8/2000,

[http://www.coe.int/T/E/Human\\_Rights/Esc/5\\_Collective\\_complaints/List\\_of\\_collective\\_complaints/RC8\\_on\\_merits.asp](http://www.coe.int/T/E/Human_Rights/Esc/5_Collective_complaints/List_of_collective_complaints/RC8_on_merits.asp)

[8]War Resisters' International: GREECE:

Police attempted to arrest conscientious objector Lazaros Petromelides, 21 November 2003,

<http://wri-irg.org/news/htdocs/20031121a.html>

[9]Working Group on Arbitrary Detention: Opinion No 36/1999 (TURKEY), Opinion No 24/2003 (ISRAEL)

[10]United Nations Commission on Human Rights (1998), Resolution 1998/77:

Conscientious Objection to Military Service and subsequent resolutions in 2000 and 2002

[11]Council of Europe (1987), Recommendation No. R (87) 8 of the Committee of Ministers